United India Insurance Co. Ltd. Vs. Shakuntla Devi & Ors.

FAO No.182 of 1996

13.03.2025 *Present:* Mr. Ishan Sharma, Advocate, for non-applicant/appellant.

Mr. Raj Thakur, Advocate, for the applicants/respondents.

CMPs No. 15091 & 25706 of 2024

CMP No.15091 2024 has been filed for substituting deceased respondent No.1- Smt. Shakuntla Devi through her Legal heirs with submission that respondent No.1 – Smt. Shakuntla Devi has expired on 07.03.2001 and her legal three heirs Manish Kumar, Lalita Devi and Usha Devi are already on record and fourth legal heir Kapil Kumar is yet to be brought on record along with them. Copy of Death Certificate and Legal heir certificate of Smt. Shakuntla Devi have also been placed on record. Prayer in the application is in consonance with details of legal heirs in Legal Heirs Certificate.

CMP No.25706 of 2024 has been filed for release of amount of compensation falling in share of deceased Smt. Shakuntla Devi to her legal heirs.

Main appeal was preferred by non-applicant/appellant/Insurance Company was decided on 18.03.2005 and the same has attained its finality.

Thereafter, amount falling in share of respondents No.2 to 4 was also released in their favour vide order dated

04.03.2024 passed by a Coordinate Bench in CMP No.969 of 2024 by remitting the same in their respective bank accounts.

Amount falling in share of deceased respondent No.1- Smt. Shakuntla Devi is lying deposited in the Registry of this Court and, therefore, a prayer has also been made to release the said amount along with up-to-date interest in favour of all legal heirs of deceased respondent No.1 – Smt. Shakuntla Devi in equal shares.

In the aforesaid circumstances, Learned counsel for the non-applicant/appellant has raised no objection in allowing the applications.

Accordingly, applicant – Kapil Kumar is ordered to be brought in record as legal heirs of deceased respondent No.1- Smt Shakuntla Devi as respondents No.1(a) along with other legal heirs who are already on record as respondents No. 2 to 4.

The amount falling in the share of deceased respondent No.1- Smt. Shakuntla Devi is directed to be released in favour of her legal heirs in equal shares by remitting the same in their respective bank accounts.

Bank details of respondents No. 2 to 4 have been mentioned on record in Para No.6 of CMP No.25706 of 2024, whereas bank detail of Kapil Kumar is not on record.

Learned counsel for the appellants is directed to supply bank details of respondent No.1(a)- Kapil Kumar with

photocopy thereof to the Registry of this Court, so that amount of compensation can be released in favour of her appellants.

The applications are allowed and disposed of in the aforesaid terms.

(Vivek Singh Thakur)
Judge

13th March, 2025
(Shamsh Tabrez)